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5 Attorney for Defendants

6  
7  
8 **UNITED STATES BANKRUPTCY COURT**

9 **Southern District of California**

10  
11 In re:

BK CASE NO. 08-06043-M7

12 LAURA CATLIN,

BK ADV. NO. 08-90580-M7

13 Debtor(s).

14 LAURA CATLIN,

DEFENDANTS' ANSWER TO  
ADVERSARY COMPLAINT

15 Plaintiff

16 v.

17 SUNLAN-062804 LLC, KENNETH MIELE,  
18 LAW OFFICES OF KENOSIAN & MIELE  
LLP, and DOES 1 - 10, Inclusive,

19 Defendants.  
20

21 Come now the named defendants in this case, SUNLAN-062804 LLC, Kenneth Miele, and  
22 the Law Offices of Kenosian & Miele LLP, and answer or otherwise respond to the complaint filed by  
23 Plaintiff, Laura Catlin, in this adversary proceeding:

24 1. No response is required of Defendants to Paragraph 1 of the Plaintiff's complaint.

25 **JURISDICTION**

26 2. Defendants deny the allegations in Paragraph 2 of the Plaintiff's complaint, because there is  
27 no Section 1334 to Title 11 of the United States Code.

28 ///

1 3. In response to Paragraph 3 of Plaintiff's complaint, Defendants admit the Court has subject  
2 matter jurisdiction.

3 4. Defendants deny the allegations in Paragraph 4 of the Plaintiff's complaint.

4 5. In response to Paragraph 5 of the Plaintiff's complaint, the Defendants deny this is a core  
5 proceeding, but consent to the Court entering a final order.

6 6. Defendants admit the allegations as to venue.

7 **PARTIES**

8 7. Defendants lack sufficient information or belief as to Plaintiff's residence and, therefore,  
9 deny the allegations in Paragraph 7 of Plaintiff's complaint.

10 8. Defendants lack sufficient information or belief as to Plaintiff's social security number and,  
11 therefore, deny the allegations in Paragraph 8 of Plaintiff's complaint.

12 9. Defendants deny the allegations in Paragraph 9 of the Plaintiff's complaint.

13 10. Defendants deny the allegations in Paragraph 10 of the Plaintiff's complaint. SUNLAN's  
14 correct "legal" address is available online and is located on East Santa Cruz Avenue in the city of  
15 Orange, state of California.

16 11. Defendants admit the allegations in Paragraph 11 of the Plaintiff's complaint.

17 12. Defendants admit the allegations in Paragraph 12 of the Plaintiff's complaint.

18 13. Defendants deny the allegations in Paragraph 13 of the Plaintiff's complaint.

19 14. Defendants deny the allegations in Paragraph 14 of the Plaintiff's complaint.

20 **GENERAL ALLEGATIONS**

21 15. Defendants lack sufficient information or belief as to when Plaintiff retained the Doan  
22 Firm as alleged in Paragraph 15 of Plaintiff's complaint and, therefore, deny the allegations.

23 16. In response to Paragraph 16, Defendants admit receipt of the November 5, 2007 letter.

24 17. Defendants admit that attorney Arash Khakshooy phoned the Doan Law Firm to discuss  
25 the lawsuit, but unfortunately no attorney at the Doan Firm would take the call. A secretary at their  
26 office would only confirm they had been retained by Plaintiff and also said it could be months before  
27 the bankruptcy filing.

28 ///

1           18. In response to Paragraph 18, Defendants deny serving a “notice of entry of default” on  
2 the Doan Law Firm on November 29, 2007. Attachment “B” to the Plaintiff’s complaint is a Request  
3 for Entry of Default and Clerk’s Judgment. A default judgment in the sum of \$13,823.29 was entered  
4 against Plaintiff in the Superior Court for San Diego County on December 28, 2007. On June 4,  
5 2008 Defendants obtained a Writ of Execution. A true and correct copy of the Writ of Execution is  
6 attached hereto and incorporated herein as **Exhibit “1.”** Levy instructions were sent to the San  
7 Diego County Sheriff’s Office with the Writ of Execution on June 18, 2008. A true and correct copy  
8 of the Writ of Execution is attached hereto and incorporated herein as **Exhibit “2.”**

9           19. Defendants admit Plaintiff filed a Chapter 7 petition on June 30, 2008 well after the levy  
10 to Plaintiffs’ assets had already being processed by the San Diego Sheriff’s Office.

11           20. Defendants admit the Bankruptcy Notice Center mailed notice of the Plaintiff’s  
12 bankruptcy petition to creditors on July 4, 2008. However, Defendant SUNLAN was not properly  
13 served with notice of the bankruptcy case at its true and correct address, apparently because the  
14 Plaintiff failed to properly schedule SUNLAN at their proper, legal address in Orange, California.

15           21. Defendant SUNLAN denies the allegations in Paragraph 21 of Plaintiff’s complaint.  
16 Regardless, on July 11, 2008 — as soon as they received the notice of the bankruptcy — Mr. Meile’s  
17 firm sent instructions to the San Diego County Sheriff’s Office to cease any actions to levy upon the  
18 judgment held by SUNLAN against the Plaintiff and to release all funds. A true and correct copy of  
19 the July 11<sup>th</sup> release instructions is attached hereto and incorporated herein as **Exhibit “3.”** The  
20 Sheriff’s office processed the instructions and issued a Release of Levy on all accounts on July 18,  
21 2008. A true and correct copy of the Release of Levy is attached hereto and incorporated herein as  
22 **Exhibit “4.”** Defendants received no funds from this levy attempt.

23           22. Defendants, and each of them, deny each and every allegation contained in Paragraph 22  
24 of Plaintiff’s complaint. Further, Attachment “C” to Plaintiff’s complaint is a Notice of Levy mailed  
25 by the San Diego County Sheriff’s Office, not the Defendants. Plaintiff’s allegations are untrue and  
26 are not supported by Attachment “C.”

27           23. In response to Paragraph 23 of Plaintiff’s complaint Defendants lack any personal, first  
28 hand information or belief as to the allegations contained therein and, based thereon, deny the

1 allegations contained therein. If the authenticity of Attachment "D" to Plaintiff's complaint is  
2 established, it would appear funds were levied from the Plaintiff's accounts. However, Defendants  
3 deny that these levies, if they occurred and netted any money, were the result of ongoing efforts by  
4 any of them to execute upon SUNLAN's judgement against the Plaintiff.

5 24. Defendants deny the Doan Firm contacted Defendants by phone on July 18, 2008.

6 25. Defendants admit receipt of the letter from attorney Jeff Larkin, dated July 18, 2008  
7 demanding that "corrective measures" be taken to undo the writ of execution. However, prior to that  
8 date the Defendants had already sent cancellation instructions to the San Diego Sheriff that they  
9 release all funds levied [see **Exhibit "3"** attached hereto], and the San Diego Sheriff issued a Release  
10 of Levy on all of Plaintiffs' accounts as of July 18, 2008 [the same date as Mr. Larkin's letter, see  
11 **Exhibit "4"** attached hereto].

12 26. Even assuming the allegations in Paragraph 26 of Plaintiff's complaint are true, and  
13 Defendants deny those allegations until Plaintiff's Attachment "F" is authenticated, those overdraft  
14 charges were not the result of any action or continuing action by the Defendants. The levy was NOT  
15 a violation of the stay when it was sent to the Sheriff's office. Further, Defendants responded  
16 promptly upon receipt of the notice of Plaintiff's bankruptcy and sent instructions to the Sheriff's  
17 office to stop the levy and release all funds to Plaintiff. Defendants never received any funds from  
18 that levy.

19 27. Defendants deny each and every allegation contained in Paragraph 27 of Plaintiff's  
20 complaint. As already stated, upon receipt of the bankruptcy notice, Defendants sent instruction to  
21 the San Diego County Sheriff to cease all levies and to release all funds. If there was any delay in  
22 Plaintiff getting her funds, it was due to the time-frame within which a bank responds to a levy notice  
23 as well as the time it takes for the San Diego Sheriff's Office to process the cancellation instructions  
24 of a judgment creditor.

25 28. Defendants deny each and every allegation contained in Paragraph 28 of Plaintiff's  
26 complaint. Plaintiff is misreading or misrepresenting the meaning of Attachment "G" to Plaintiff's  
27 complaint. That Notice of Levy was mailed by the San Diego Sheriff's office, not the Defendants, on  
28 August 12, 2008 to Wells Fargo Bank. Upon information and belief Defendants contend that

1 Sheriff's service of the levy on August 12, 2008 was mistakenly done by the levying officer of the San  
2 Diego County Sheriff after the Defendants had issued cancellation instructions for all levies on July  
3 11<sup>th</sup>.

4 29. Defendants deny that on August 18, 2008 attorney Larkin wrote Defendants a letter.  
5 Attachment "H" to Plaintiff's complaint is a letter dated August 11, 2008 [not August 18<sup>th</sup>], and the  
6 Law Offices of Kenosian & Miele received that letter in the mail on August 15, 2008. The day before  
7 this letter arrived, Defendants had already contacted the San Diego Sheriff's office on August 14,  
8 2008 regarding the release of the levy and was informed by a person at the San Diego Sheriff's office  
9 named "Tina" that the Defendants' levy release instructions had been received and processed.

10 30. In response to Paragraph 30 of Plaintiff's complaint, Defendants admit they issued a levy  
11 to the San Diego County Sheriff on the judgment on or about November 25, 2008. However, there  
12 was no stay in effect at that time, because on October 9, 2008 Plaintiff's bankruptcy case was closed  
13 without entry of a discharge. The discharge had not been entered, apparently because the Plaintiff-  
14 debtor had failed to carry out her duty as a Chapter 7 petitioner and timely complete and file a  
15 certificate of completion of her financial management course.

16 On October 16, 2008 Defendants learned Plaintiff's Chapter 7 case had been dismissed on  
17 October 9, 2008. A few weeks later Defendants checked the docket, and the case was still dismissed,  
18 so on November 12, 2008 new levy instructions were prepared to be sent to the San Diego Sheriff. A  
19 true and correct copy of the levy instructions are attached hereto as **Exhibit "5."** Therefore,  
20 whatever losses that resulted next were due to the fact Plaintiff did not do what she was supposed to  
21 do as a debtor in a Chapter 7 proceeding. Apparently in response to the November 25<sup>th</sup> levy on  
22 Plaintiff's bank accounts her counsel filed a motion to reopen the case on November 26, 2008. Note:  
23 the Doan Firm never sent a copy of the motion to any of the Defendants. An order reopening the  
24 case was entered on December 15, 2008. That order did not provide for reimposition of the  
25 automatic stay or reappointment of a trustee. That order was not served upon any of the Defendants.

26 31. Defendants lack sufficient information or belief as to the truth or accuracy of the  
27 allegations in Paragraph 31 of Plaintiff's complaint regarding what was taken from Plaintiffs'  
28 accounts and, based thereon, deny the allegations contained therein. On December 31, 2008

1 Defendants issued instructions release all levies of Plaintiff's accounts. A true and copy of the release  
2 instructions is attached hereto as **Exhibit "6."** The Sheriff's office processed the Release of Levy, a  
3 true and copy of which is attached hereto as **Exhibit "7."** Despite the instructions to release all  
4 levies, Defendants received the sum of \$2,317 on or about January 8, 2009.

5 32. Defendants have never received any overdraft charges or legal processing fees from the  
6 levies. Those were fees charged by the bank and/or the S.D. Sheriff as a result of the levy on the  
7 account. At the time the levy was issued in state court, Plaintiffs Chapter 7 case was closed. As  
8 such, the November 2008 levy did not violate the automatic stay.

9 33. Defendants lack sufficient information or belief as to the allegations in Paragraph 33 of  
10 Plaintiff's complaint and, based thereon, deny the allegations contained therein.

11 34. Defendants lack sufficient information or belief as to the allegations in Paragraph 34 of  
12 Plaintiff's complaint and, based thereon, deny the allegations contained therein.

13 35. Defendants lack sufficient information or belief as to the allegations in Paragraph 35 of  
14 Plaintiff's complaint and, based thereon, deny the allegations contained therein.

15 36. Defendants deny the allegations in Paragraph 36 of Plaintiff's complaint.

16 **CLAIMS FOR RELIEF**

17 37. Defendants refer to and incorporate herein each and every response contained in  
18 Paragraphs 1 through 36, inclusive, as if set forth herein verbatim.

19 38. Defendants received notices of the Plaintiff's bankruptcy as well as notices that her case  
20 had been closed without entry of a discharge.

21 39. Defendants, and each of them, deny each and every allegation contained in Paragraph 39  
22 of the Plaintiff's complaint.

23 40. Defendants, and each of them, deny each and every allegation contained in Paragraph 40  
24 of the Plaintiff's complaint.

25 41. Defendants, and each of them, deny each and every allegation contained in Paragraph 41  
26 of the Plaintiff's complaint.

27 ///

28 ///

**AFFIRMATIVE DEFENSES**

42. As a first and separate affirmative defense Defendants allege Plaintiff has failed to state a claim upon which relief can be granted.

43. As a second and separate affirmative defense Defendants allege Plaintiff is guilty of unclean hands in that she failed to timely carry out her duties as a Chapter 7 debtor and, therefore, is barred from seeking equitable relief as prayed for.

44. As a third and separate affirmative defense Defendants are informed and believe, and upon such information and belief allege that the purported damages which are the subject of this action were the direct and legal result of the other person(s) conduct.

WHEREFORE, Defendants pray judgment as follows:

1. That Plaintiff and/or her counsel take nothing by means of Plaintiffs' complaint;
2. For an award of sanctions in a sum according to proof against Plaintiff and her counsel for maintaining an action which has no good basis in fact or law to be maintained;
3. For costs of suit incurred herein; and
4. For such other and further relief as the Court deems just and proper.

Dated: January 22, 2009

/s/ Thomas B. Gorrill  
THOMAS B. GORRILL, ESQ.  
Counsel for Defendants

CERTIFICATE OF SERVICE BY MAIL

I, Shannon Gorrill, am employed in the County of San Diego, State of California. I am over the age of 18 and not a party of the within action; my business address is: 401 West "A" Street, Suite 1770, San Diego, CA 92101. On January 22, 2009, I served the following document(s):

**DEFENDANTS' ANSWER TO ADVERSARY COMPLAINT**

in this action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at San Diego, California and addressed as follows:

**Michael G. Doan, Esq.  
Doan Law Firm, LLP  
2850 Pio Pico Drive, Ste D  
Carlsbad, CA 92008**

I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury the foregoing is true and correct.

Dated: January 22, 2009

/s/ Shannon Gorrill  
SHANNON GORRILL



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address) <b>KENNETH J. MIELE, BAR #165730</b> <b>LAW OFFICES OF KENOSIAN &amp; MIELE, LLP</b> <b>8581 SANTA MONICA BLVD., #17</b> <b>LOS ANGELES, CA 90069</b> TELEPHONE NO. <b>310-289-0500</b> FAX NO. (Optional) <b>310-289-5177</b> E-MAIL ADDRESS (Optional) ATTORNEY FOR (Name) <b>SUNLAN-062804, LLC</b>		<b>FOR COURT USE ONLY</b>
<input checked="" type="checkbox"/> ATTORNEY FOR <input checked="" type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO</b> STREET ADDRESS <b>325 S MELROSE DR., #100</b> MAILING ADDRESS <b>325 S MELROSE DR., #100</b> CITY AND ZIP CODE <b>VISTA, CA 92081</b> BRANCH NAME <b>VISTA LIMITED CIVIL DISTRICT</b>		
PLAINTIFF: <b>SUNLAN-062804, LLC</b> DEFENDANT: <b>LAURA E. CATLIN aka LAURA E. SMITH aka LAURA CATLIN</b>		
<b>WRIT OF</b> <input checked="" type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property		CASE NUMBER: <b>37-2007-00056138-CL-CL-NC</b>

1. To the Sheriff or Marshal of the County of: **SAN DIEGO**

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.

3. (Name): **SUNLAN-062804, LLC A LIMITED LIABILITY COMPANY**

is the ☒ judgment creditor    ☐ assignee of record    whose address is shown on this form above the court's name.

4. Judgment debtor (name and last known address):

**LAURA E. CATLIN aka LAURA E. SMITH aka**  
**LAURA CATLIN**  
**362 CHINQUAPIN AVE #4**  
**CARLSBAD, CA 92008**

☐ Additional judgment debtors on next page

5. Judgment entered on (date): **12-28-07**

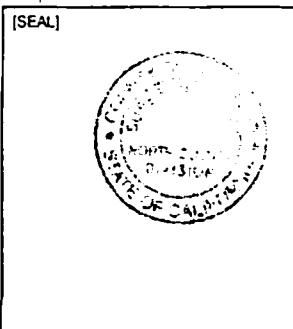
6. ☐ Judgment renewed on (dates):

7. Notice of sale under this writ

- a. ☒ has not been requested.  
 b. ☐ has been requested (see next page).

8. ☐ Joint debtor information on next page.

9. ☐ See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.
10. ☐ This writ is issued on a sister-state judgment.
- |  |             |
|--|-------------|
| 11. Total judgment   | \$ 13823.29 |
| 12. Costs after judgment (per filed order or memo CCP 685.090)                             | \$ 15.00    |
| 13. Subtotal (add 11 and 12)   | \$ 13838.29 |
| 14. Credits  | \$ 0.00     |
| 15. Subtotal (subtract 14 from 13)   | \$ 13838.29 |
| 16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees)..... | \$ 522.02   |
| 17. Fee for issuance of writ   | \$ 15.00    |
| 18. Total (add 15, 16, and 17)   | \$ 14375.31 |
19. Levying officer:
- (a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of 10%    \$ 3.79
- (b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68511.3; CCP 699.520(i))    \$ 0.00
20. ☐ The amounts called for in items 1119 are different for each debtor. These amounts are stated for each debtor on Attachment 20.



Issued on (date): **JUN 21 2009**

Clerk, by *[Signature]*, Deputy

**NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.**

2008 482398

LEVY/GARNISHMENT INSTRUCTION SHEET

VISTA SHERIFF  
PLEASE PRINT

JUN 18 2008

Case Number 37-2007-00056138-CL-CL-NC (SUNLAN VS. LAURA CATLIN)

Today's Date \_\_\_\_\_

JUN 18 2008

YOU ARE HEREBY INSTRUCTED TO: (Place "X" in Appropriate Box)

- ☐ LEVY ON BANK ACCOUNT OF JUDGMENT DEBTOR  
☐ ENFORCE WRIT OF POSSESSION FOR EVICTION  
☐ PLACE KEEPER IN JUDG. DEBTOR'S BUSINESS (Indicate 8 hours or open end)  
☐ TILL TAP  
☐ VEHICLE LEVY  
☐ OTHER: \_\_\_\_\_

ENTER COMPLETE INSTRUCTIONS BELOW: (Name and address of bank; address for eviction; Judg. Debtor's place of business; license number of vehicle and address where vehicle is located - whichever applies per box(s) marked above).

LEVY ALL ACCOUNTS IN THE JUDGMENT DEBTOR'S NAME. INCLUDING ALL SAVINGS, CHECKING,  
DEPOSIT & SAFE DEPOSIT BOX ACCOUNTS HELD AT THE FOLLOWING INSTITUTION: WASHINGTON  
MUTUAL BANK, 2580 EL CAMINO REAL, CARLSBAD, CA 92008 (DEFENDANT'S SOCIAL  
SECURITY NUMBER: 553-63-6257)

FOR WRITS OF POSSESSION ONLY List name of Person to Sign for Possession:

NAME \_\_\_\_\_ Daytime Phone Number: (310) 289-0500

FOR BANK LEVIES ONLY: Account Number (If known) including but not limited to: NONE AVAILABLE

ACCEPTING AMOUNT: To instruct us to accept LESS THAN the amount shown on the writ, plus interest and costs, indicate lesser amount here:

\$ \_\_\_\_\_

XX  
Signature of Attorney/Litigant \_\_\_\_\_ (310) 289-0500  
Daytime Phone Number  
KENNETH J. MIELE

ALL COMMUNICATIONS, REFUNDS DUE, AND COLLECTIONS WILL BE DIRECTED TO THE NAME AND ADDRESS LISTED BELOW: (Complete Carefully)

PMGI, LLC  
8581 SANTA MONICA BLVD #17  
LOS ANGELES, CA, 90069

NOTE: PLEASE DO NOT PHONE OUR OFFICE FOR A STATUS ON YOUR CASE. WE WILL NOTIFY YOU BY MAIL ON THE OUTCOME OF THE SERVICE.

V

EXHIBIT 2

2008482398

## LEVY/GARNISHMENT INSTRUCTION SHEET

VISTA SHERIFF  
PLEASE PRINT

JUL 11 2008

Case Number 37-2007-00056138-CL (SUNLAN VS. CATLIN)

Today's Date \_\_\_\_\_

YOU ARE HEREBY INSTRUCTED TO: (Place "X" in Appropriate Box)

- ☐ LEVY ON BANK ACCOUNT OF JUDGMENT DEBTOR  
☐ ENFORCE WRIT OF POSSESSION FOR EVICTION  
☐ PLACE KEEPER IN JUDG. DEBTOR'S BUSINESS (Indicate 8 hours or open end)  
☐ TILL TAP  
☐ VEHICLE LEVY  
☒ OTHER: \*\*\*\*\*RELEASE BANK LEVY\*\*\*\*\*

ENTER **COMPLETE** INSTRUCTIONS BELOW: (Name and address of bank; address for eviction; Judg. Debtor's place of business; license number of vehicle and address where vehicle is located - whichever applies per box(s) marked above).

RELEASE ALL ACCOUNTS IN THE JUDGMENT DEBTOR'S NAME. INCLUDING ALL SAVINGS,

CHECKING, DEPOSIT & SAFE DEPOSIT BOX ACCOUNTS HELD AT THE FOLLOWING INSTITUTION:

WASHINGTON MUTUAL BANK, 2580 EL CAMINO REAL CARLSBAD, CA 92008 (DEFENDANT'S

SOCIAL SECURITY NUMBER: 553-63-6257)

FOR WRITS OF POSSESSION **ONLY** List name of Person to Sign for Possession:

NAME \_\_\_\_\_ Daytime Phone Number: (310) 289-0500

FOR BANK LEVIES **ONLY**: Account Number (If known) including but not limited to: NONE AVAILABLE

ACCEPTING AMOUNT: To instruct us to accept LESS THAN the amount shown on the writ, plus interest and costs, indicate lesser amount here:

\$ \_\_\_\_\_

XX

Signature of Attorney/Litigant

KENNETH J. MIELE

(310) 289-0500

Daytime Phone Number

ALL COMMUNICATIONS, REFUNDS DUE, AND COLLECTIONS WILL BE DIRECTED TO THE NAME AND ADDRESS LISTED BELOW: (Complete Carefully)

PMGI, LLC

8581 SANTA MONICA BLVD #17

LOS ANGELES, CA 90069

**NOTE: PLEASE DO NOT PHONE OUR OFFICE FOR A STATUS ON YOUR CASE. WE WILL NOTIFY YOU BY MAIL ON THE OUTCOME OF THE SERVICE.**

EXHIBIT 3

<b>TO (Name and Address):</b> <b>Washington Mutual Bank</b> <b>2580 El Camino Real</b> <b>Carlsbad, CA 92008</b>		<b>TELEPHONE NO.:</b>		<b>LEVYING OFFICER (Name and Address):</b> <b>County of San Diego</b> <b>San Diego County Sheriff</b> <b>Sheriff's Civil Office</b> <b>325 South Melrose Dr Ste 2400</b> <b>Vista, CA 92081-6692</b> <b>(760) 940-2898</b>	
<b>NAME OF COURT, JUDICIAL DISTRICT OR BRANCH COURT, IF ANY:</b> <b>San Diego County Superior Court</b> <b>325 S Melrose Dr</b> <b>Vista, CA 92081</b>					
<b>PLAINTIFF:</b> <b>Sunlan-062804 LLC</b>					
<b>DEFENDANT:</b> <b>Laura E Catlin</b>					
<b>Release of Levy</b>				<b>LEVYING OFFICER FILE NO.:</b> <b>2008482398</b>	<b>COURT CASE NO.:</b> <b>37-2007-</b> <b>00056138</b>

7/18/2008

The levy on Any and all accounts. has been released effective .

Return property or funds you are holding to:

Laura E Catlin aka Laura E Smith aka Laura Catlin  
 362 Chinquapin Ave 4  
 Carlsbad, CA 92008

William B. Kolender, Sheriff

By:  \_\_\_\_\_

## Require Proper Identification

Sheriff's Civil Division  
 TO PAY STORAGE THROUGH:

Washington Mutual Bank  
 2580 El Camino Real  
 Carlsbad, CA 92008

EXHIBIT 4

2008482398

## LEVY/GARNISHMENT INSTRUCTION SHEET

VISTA SHERIFF, 325 SO. MELROSE DR., STE. #2400, VISTA, CA 92083  
PLEASE PRINT

NOV 12 2008

Case Number 37-2007-00056138-CL (SUNLAN V. LAURA E. CATLIN) Today's Date \_\_\_\_\_

YOU ARE HEREBY INSTRUCTED TO: (Place "X" in Appropriate Box)

- ☒ LEVY ON BANK ACCOUNT OF JUDGMENT DEBTOR  
☐ ENFORCE WRIT OF POSSESSION FOR EVICTION  
☐ PLACE KEEPER IN JUDG. DEBTOR'S BUSINESS (Indicate 8 hours or open end)  
☐ TILL TAP  
☐ VEHICLE LEVY  
☐ OTHER: \_\_\_\_\_

RECEIVED  
 NOV 17 PM 1:33  
 SAN DIEGO COUNTY  
 SHERIFF  
 VISTA

ENTER COMPLETE INSTRUCTIONS BELOW: (Name and address of bank; address for eviction; Judg. Debtor's place of business; license number of vehicle and address where vehicle is located - whichever applies per box(s) marked above).

LEVY ALL ACCOUNTS IN THE JUDGMENT DEBTOR'S NAME. INCLUDING ALL SAVINGS, CHECKING,  
 DEPOSIT & SAFE DEPOSIT BOX ACCOUNTS HELD AT THE FOLLOWING INSTITUTION: WASHINGTON  
 MUTUAL BANK,, 2580 EL CAMINO REAL, CARLSBAD, CA 92008 (DEFENDANT'S SOCIAL  
 SECURITY NUMBER: 550-99-2370)

FOR WRITS OF POSSESSION ONLY List name of Person to Sign for Possession:

NAME \_\_\_\_\_ Daytime Phone Number: (310) 289-0500FOR BANK LEVIES ONLY: Account Number (If known) including but not limited to: NONE AVAILABLE

ACCEPTING AMOUNT: To instruct us to accept LESS THAN the amount shown on the writ, plus interest and costs, indicate lesser amount here:

\$ \_\_\_\_\_

XX

Signature of Attorney/Litigant

KENNETH J. MIELE

(310) 289-0500

Daytime Phone Number

ALL COMMUNICATIONS, REFUNDS DUE, AND COLLECTIONS WILL BE DIRECTED TO THE NAME AND ADDRESS LISTED BELOW: (Complete Carefully)

PMGI, LLC

8581 SANTA MONICA BLVD #17

LOS ANGELES, CA 90069

NOTE: PLEASE DO NOT PHONE OUR  
 OFFICE FOR A STATUS ON YOUR  
 CASE. WE WILL NOTIFY YOU BY  
 MAIL ON THE OUTCOME OF THE  
 SERVICE.

EXHIBIT 5

2008482398

**LEVY/GARNISHMENT INSTRUCTION SHEET**

VISTA SHERIFF, 325 SO. MELROSE DR., STE. #2400, VISTA, CA 92083

**PLEASE PRINT**Case Number 37-2007-00056138-CL-CL-NC (SUNLAN vs. LAURA E. CATLIN)Today's Date **DEC 3 1 2008**

YOU ARE HEREBY INSTRUCTED TO: (Place "X" in Appropriate Box)

- ☐ LEVY ON BANK ACCOUNT OF JUDGMENT DEBTOR  
☐ ENFORCE WRIT OF POSSESSION FOR EVICTION  
☐ PLACE KEEPER IN JUDG. DEBTOR'S BUSINESS (Indicate 8 hours or open end)  
☐ TILL TAP  
☐ VEHICLE LEVY  
☒ OTHER: **\*\*\*\*\*RELEASE BANK LEVY\*\*\*\*\***

RECEIVED  
 2009 JAN -2 AM 9:05  
 SHERIFF  
 SAN DIEGO COUNTY  
 VISTA

ENTER **COMPLETE** INSTRUCTIONS BELOW: (Name and address of bank; address for eviction; Judg. Debtor's place of business; license number of vehicle and address where vehicle is located - whichever applies per box(s) marked above).

RELEASE ALL ACCOUNTS IN THE JUDGMENT DEBTOR'S NAME. INCLUDING ALL SAVINGS,

CHECKING, DEPOSIT & SAFE DEPOSIT BOX ACCOUNTS HELD AT THE FOLLOWING INSTITUTION:

WASHINGTON MUTUAL, 2580 EL CAMINO REAL, CARLSBAD, CA 92008. (DEFENDANT'S SOCIAL

SECURITY NUMBER: 553-63-6257)

FOR WRITS OF POSSESSION **ONLY** List name of Person to Sign for Possession:

NAME \_\_\_\_\_ Daytime Phone Number: (310) 289-0500

FOR BANK LEVIES **ONLY**: Account Number (If known): including but not limited to: NONE AVAILABLE

ACCEPTING AMOUNT: To instruct us to accept LESS THAN the amount shown on the writ, plus interest and costs, indicate lesser amount here:

\$ \_\_\_\_\_

**XX**

Signature of Attorney/Litigant

KENNETH J. MIELE

(310) 289-0500

Daytime Phone Number

ALL COMMUNICATIONS, REFUNDS DUE, AND COLLECTIONS WILL BE DIRECTED TO THE NAME AND ADDRESS LISTED BELOW: (Complete Carefully)

PMGI, LLC

8581 SANTA MONICA BLVD #17

LOS ANGELES, CA 90069

**NOTE: PLEASE DO NOT PHONE OUR OFFICE FOR A STATUS ON YOUR CASE. WE WILL NOTIFY YOU BY MAIL ON THE OUTCOME OF THE SERVICE.**

EXHIBIT 6

<b>TO (Name and Address):</b> <b>Washington Mutual Bank</b> <b>2580 El Camino Real</b> <b>Carlsbad, CA 92008</b>		<b>TELEPHONE NO.:</b>		<b>LEVYING OFFICER (Name and Address):</b> <b>County of San Diego</b> <b>San Diego County Sheriff</b> <b>Sheriff's Civil Office</b> <b>325 South Melrose Dr Ste 2400</b> <b>Vista, CA 92081-6692</b> <b>(760) 940-2898</b>	
<b>NAME OF COURT, JUDICIAL DISTRICT OR BRANCH COURT, IF ANY:</b> <b>San Diego County Superior Court</b> <b>325 S Melrose Dr</b> <b>Vista, CA 92081</b>					
<b>Vista</b>					
<b>PLAINTIFF:</b> <b>Sunlan-062804 LLC</b>					
<b>DEFENDANT</b> <b>Laura E Catlin</b>					
<b>Release of Levy</b>				<b>LEVYING OFFICER FILE NO.:</b> <b>2008482398</b>	<b>COURT CASE NO.:</b> <b>37-2007-</b> <b>00056138</b>

JAN 02 2009

1/2/2009

The levy on Any and all accounts has been released effective 1/2/2009.

Return property or funds you are holding to:

Laura E Catlin aka Laura E Smith aka Laura Catlin  
 362 Chinquapin Ave 4  
 Carlsbad, CA 92008

William B. Kolender, Sheriff

By: **Require Proper Identification**

Sheriff's Civil Division  
 TO PAY STORAGE THROUGH:

Washington Mutual Bank  
 2580 El Camino Real  
 Carlsbad, CA 92008

EXHIBIT 7